

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – February 10, 2009 – 4:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, February 10, 2009, at 4:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine. Administrative Assistant Candice Richards was present to record the minutes of the meeting.

Commission members present were: Anne Beebe-Center, Commissioner District #1, Richard L. Parent, Jr., Commissioner District #2, and Roger A. Moody, Commissioner District #3. County staff present included: County Administrator Andrew Hart, Administrative Assistant Candice Richards, Finance Director Kathy Robinson, Airport Manager Jeff Northgraves, and IT Director Jeff Lake.

Also present were: Don Carrigan from WLBZ2; Kim Lincoln, reporter from the *Gazette Herald*.

Regular Meeting – Agenda	
Tuesday – February 10, 2009 – 4:00 p.m.	
12 – 2pm	Work Session
I. 4:00	Meeting Called To Order
II. 4:01	Executive Session
	1. Convene in Executive Session for Consultation with Legal Counsel pursuant to 1 M.R.S.A. §405(6)(E).
III. 4:16	Public Comment - Public Comment during other portions of the meeting will only be granted by permission of the chair.
IV. 4:30	Consent Items
	1. Approve Consent Items as Presented:
	i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
	ii. Approve Minutes of Regular Meeting of January 13, 2009.
	iii. Accept Monthly Written Departmental Reports.
	iv. Approve Investment Withdrawals.
	v. Approve Budget Line Transfers.
V. 4:35	Action Items
	1. Approve and Authorize Commission Chair to Execute Concessionaire Agreement with Adam Dimmitt to Provide Flight Instruction at the Airport (J. Northgraves).
	2. Approve Settlement of Pending Litigation in the Tardiff Matter (A. Hart, P. Marchesi).
	3. Authorize County Administrator to Sign Contract Between North Haven and Knox County for Sheriff’s Deputy Services. (A. Hart).
	4. Act on Approval of NIMS/ICS Training Policy (A. Hart).
	5. Authorize County Administrator to Sign MOU Agreements Associated with EMA Grants (A. Hart).
VI. 4:30	Discussion Items
	1.Update on Due Date of Dispatch Fees (A. Hart).
VII. 4:35	Other Business
VIII. 4:45	Adjourn

- I. Meeting Called to Order  
Commission Chair Anne Beebe-Center called the February 10, 2009 regular meeting of the Knox County Commission to order at 4:00 p.m.
- II. Executive Session
1. Convene in Executive Session to Consultations with Legal Counsel pursuant to 1 M.R.S.A. §405(6)(E).
- A motion was made by Commissioner Richard Parent to go into executive session pursuant to 1 M.R.S.A. §405(6)(E) for consultations with legal counsel. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

The executive session convened at 4:01 p.m.

- A motion was made by Commissioner Richard Parent to come out of executive session. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

The executive session concluded at 4:20 p.m.

III. Public Comment

Commissioner Anne Beebe-Center asked for public comment. There was none.

IV. Consent Items

1. Approve Consent Items as Presented:
  - i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
  - ii. Approve Minutes of Regular Meeting of January 13, 2009.
  - iii. Accept Monthly Written Departmental Reports.
  - iv. Approve Investment Withdrawals.
  - v. Approve Budget Line Transfers.
- A motion was made by Commissioner Roger Moody to approve the consent items as presented. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

Investment Withdrawals:

Courthouse Computer	20000812660	\$5,060.23
Dispatch Computer	20000812605	\$492.53
Jail Computer	20000812800	\$5,880.37
Legal Expense	20000812650	\$3,976.50
Sheriff Vehicles	20000812770	\$1,539.00
	Total	\$16,948.63

2008 Budget Line Transfers:

From:			To:		
Airport Advertizing	416004-54510	\$120.00	Telephone	416004-54315	\$98.00
Airport Dues & Registration	416004-54515	\$27.00	Gas, Oil, Grease	416004-54650	\$49.00
Airport Gas, Oil, Grease	416164-54650	\$70.00	Telephone	416164-54315	\$70.00
Building Maint. ICMA	006003-53960	\$2.00	Flexible Benefits	006003-53950	\$2.00
Building Maint. Electricity	006004-54555	\$175.00	Water	006004-54565	\$175.00
Communications Dispatchers	518003-53812	\$2,621.00	Flexible Benefits	518003-53950	\$32.00
Communications Part Time	518003-53820	\$382.00	Telephone	518004-54315	\$779.00
			Electricity	518004-54555	\$87.00
			Bldg Radio	518004-54910	\$2,095.00
			Equipment – Copier	518004-54570	\$10.00
Deeds Postage & Shipping	009004-54520	\$91.00	Telephone	009004-54315	\$91.00
DA Victim Services	003003-53032	\$70.00	Mileage	003004-54105	\$70.00
DA Training	003004-54545	\$114.00	Lodging	003004-54115	\$114.00
DA Investigations	003004-54586	\$180.00	Computer Repairs	003004-54585	\$180.00
Executive Postage & Shipping	004004-54520	\$186.00	Telephone	004004-54315	\$186.00
Executive ICMA	004003-53960	\$4,017.00	Labor Relations	004004-54050	\$4,017.00
Finance Computer Repairs	005004-54585	\$69.00	Telephone	005004-54315	\$69.00
Jail Programs Officer	008003-53282	\$855.00	Inmate Medical/Den.	008004-54635	\$511.00
			Flexible Benefits	008003-53950	\$118.00
			Gas, Oil, Grease	008004-54650	\$200.00
			Other, Tolls	008004-54120	\$26.00
Probate Postage & Shipping	010004-54520	\$71.00	Telephone	010004-54315	\$71.00
Sheriff Domestic Violence	011003-53315	\$2,203.00	Drug Enforcement	011003-53332	\$1,214.00
Sheriff Computer Lines	011004-54735	\$296.00	Office Supplies	011005-55335	\$4.00
			Computer Repairs	011004-54585	\$296.00
			Telephone	011004-54315	\$985.00
Total:		\$11,549.00	Total:		\$11,549.00

**V. Action Items****1. Approve and Authorize Commission Chair to Execute Concessionaire Agreement with Adam Dimmitt to Provide Flight Instruction at the Airport (J. Northgraves).**

Jeff Northgraves said that this was an identical agreement to the agreement that the County has with Steve Turner, who has been providing flight instruction at the airport for three years. Mr. Northgraves stated that he believed that Mr. Dimmitt is Mr. Turner's replacement. Mr. Dimmitt has signed and executed his half of the agreement.

Commissioner Anne Beebe-Center asked if there was a single flight instructor.

Mr. Northgraves stated that for now the County will have two.

Commissioner Roger Moody asked if the agreement was identical with Mr. Turner's.

Mr. Northgraves replied in the affirmative.

- A motion was made by Commissioner Richard Parent to execute the concessionaire agreement with Adam Dimmitt to provide flight instruction to the airport. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.
- A motion was made by Commissioner Richard Parent to authorize the chair to sign the concessionaire agreement with Adam Dimmitt. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

**2. Approve Settlement of Pending Litigation in the Tardiff Matter (A. Hart, P. Marchesi).**

Commissioner Roger Moody stated that during the executive session, it was learned that the County's legal counsel had reported a proposed settlement in the Tardiff vs. Knox County litigation. He stated that it was proposed that the County make a \$7,500.00 contribution. Legal counsel has expressed confidence that although the case could be successfully litigated to a favorable conclusion, because of the time that has been invested in the litigation, coupled with the anticipated costs to the County in continuing with the litigation, the Commission has decided to accept the minimal contribution to the settlement.

- A motion was made by Commissioner Roger Moody for Knox County to contribute \$7,500.00 toward the total settlement. The motion was seconded by Commissioner Richard Parent.

Commissioner Richard Parent stated that the litigation had gone on for seven years, so it was time to end it.

Commissioner Roger Moody stated that the County has been represented by the MCCA Risk Pool and Attorney Peter Marchesi, and that the settlement seemed to be an appropriate conclusion.

- A vote was taken with all in favor.

Commissioner Anne Beebe-Center requested that all questions be directed to the County's legal counsel for the Tardiff matter, Attorney Peter Marchesi.

**3. Authorize County Administrator to Sign Contract Between North Haven and Knox County for Sheriff's Deputy Services (A. Hart).**

County Administrator Andrew Hart asked to table this agenda item until a response is received back from North Haven. There is still the issue of overtime in the contract which is still not resolved. The subject is still being discussed.

- A motion was made by Commissioner Richard Parent to table the agenda item. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

**4. Act on Approval of NIMS/ICS Training Policy (A. Hart).**

County Administrator Andrew Hart stated that this is done in conjunction with EMA. It is a Knox County administrative policy. In September of 2005, the Commission adopted an executive order in regards to NIMS, which the County would adopt the executive order and become NIMS compliant. The policy lists the NIMS training that each department is required to take. New hires and newly elected individuals would need to complete the training within six months of their hire date. The training can be done online or in person at NIMS classes. If approved, the policy would take effect immediately.

- A motion was made by Commissioner Roger Moody to approve the NIMS/ICS Training Policy as proposed. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.
5. Authorize the County Administrator to Sign MOU Agreements Associated with EMA Grants (A. Hart).
- County Administrator Andrew Hart explained that the Emergency Management Agency applies for many grants through Homeland Security and other agencies. The County is required to sign Memorandums Of Understanding to receive funds. The County makes the expenditure and once the MOU is signed, the County is reimbursed. In the past, different people have signed the MOU's. Administrator Hart stated that he and EMA Director Ray Sisk felt that it made sense to have one individual authorized to sign them. The recommendation is to authorize the County Administrator to sign them on behalf of the County. Authorizing the administrator would also mean not having to wait for a Commission meeting to get them signed and get reimbursed.
- A motion was made by Commissioner Richard Parent to authorize the county administrator to sign MOU agreements associated with EMA grants. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

Commissioner Roger Moody asked if the amount of activity changes every year depending on what grants are available. He asked if the Commission would receive some kind of report to know what is happening.

County Administrator Andrew Hart that since most of the MOU's are for EMA, Director Sisk puts these in his monthly departmental reports to the Commission.

Commissioner Roger Moody stated that he assumed that the MOU's were all grants but if some of them were percentage matches with an expense to the County, then the Commission would need to know.

County Administrator Andrew Hart stated that everything so far is 100% funding. Right now the grant being worked on is for laptops in the cruisers. A grant is also being looked at for the police departments in the municipalities in Knox County. Director Sisk is also working on a grant for GIS to impact the GIS contract and the Hazard Mitigation plan.

## VI. Discussion Items

1. Update on Due Date of Dispatch Fees (A. Hart).
- County Administrator Andrew Hart explained that this subject was discussed with the previous Commission because the County had charged late fees to municipalities that paid their dispatch fees late. A letter was sent to the municipalities of Knox County asking their opinion regarding possibly changing due date to November, which is when taxes are due. Only seven municipalities have responded. One thing the County has to think about is that the County has anticipated the money coming in during September every year, so it may have an impact on the County if the date is changed.

Finance Director Kathy Robinson stated that the County borrows money based on the trend of receiving money. If the County is going to make a change, then we would need to look at how this is going to affect us. The County might be incurring an expense to make the change. If the County made the change to have dispatch fees due in November, the County would have about \$800,000.00 less in September than in past years. The County would be incurring interest because of that, so the County would then be incurring an expense because of the change.

County Administrator Andrew Hart stated that when the Commission had discussed the subject before, it was pointed out that only five municipalities had paid their dispatch fees late. One town claimed the fees were paid late because of turnover in the town office. He stated that he did not believe that it was the County's fault that the fees were being paid late. It seemed more of a problem of towns thinking they had paid the dispatch fees or lost the invoice. He added that he was not sure that a change would make sense.

Commissioner Anne Beebe-Center stated that it was not known what was driving the towns' suggestion to change the date.

County Administrator Andrew Hart stated that if the County has to borrow more money because of the loss in revenue in September, the County would end up spending more.

Commissioner Anne Beebe-Center asked if the matter should be left open and revisit it at another time.

Finance Director Kathy Robinson stated that she wanted to point out that the Finance office was proactive and had followed up with phone calls to the municipalities who had not paid on time. It seemed that the ones she connected with stated that it was more of an over-sight and not that they were unable to pay. Their bills should be built into their schedule just like the County. They should know when they need to borrow money and when they need to pay money. It is just a part of business.

Commissioner Anne Beebe-Center asked if it was unnecessary to revisit the matter later.

County Administrator Andrew Hart stated that the Town of Union had indicated that they would like a separate invoice for dispatch fees so he checked with Ms. Robinson to see what the bills looked like. He stated that the invoices for dispatch fees are already separate from the tax bills so municipalities could not use that as an excuse, although that was one of the reasons Union gave for not paying their fees on time.

Finance Director Kathy Robinson stated that the Finance office could send out more reminders, especially a month before the fees are due. She added that she would rather do that than the County incurring expenses to change the way the County does things.

Commissioner Roger Moody stated that from a customer service point of view, he liked Ms. Robinson's suggestion of sending out more reminders.

Commissioner Anne Beebe-Center stated that instead of moving the due date it would be better to instead look at sending out more reminders.

## VII. Other Business

Commissioner Anne Beebe-Center stated that the Commission completed their first work session today and set some goals.

Commissioner Roger Moody presented. He stated that the Commission thought it would be helpful early on to talk about what is important to us for the Commission to accomplish and what should be worked toward. He stated that the goals were compiled using a stream of consciousness kind of approach. The Commission tried to set an agenda for the County to work on.

1. Space Needs
  - a. Options to New Construction
    - MDOT Building
    - RES/Warren brick schoolhouse
    - Master plan for courthouse spaces
    - ADA access to courthouse / County spaces
  - b. Maintenance of Existing Buildings and Spaces
2. Commissioners/Administrator
  - a. Meeting times / frequency
  - b. Common goals
  - c. Press relations
  - d. Administrator Authority for signing documents. Set a policy.
  - e. Set work session before regular commission meetings
3. Commission/Admin Goals for 2009
  - a. Impact 2010 Budget
    - 2 more Budget Committee meetings before 2010 budget cycle
  - b. Help notify towns of Budget Committee vacancies
  - c. Meetings / forums (2) with Town Managers and 1<sup>st</sup> Selectmen
  - d. Meet with Lincoln County Commissioners and Administrator
  - e. Meet with Waldo County Commissioners and Administrator
  - f. Understand Knox "infrastructure"
    - IT and Finance software, etc.
  - g. Space Needs

Commissioner Anne Beebe-Center stated that during work sessions the Commission will be working on these items and using the list to create agendas to focus on specific topics.

## VIII. Adjourn

- A motion was made by Commissioner Roger Moody to adjourn the meeting. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The meeting adjourned at 4:44 p.m.

Respectfully submitted,

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Candice Richards

**The Knox County Commission approved these minutes at their regular meeting held on March 10, 2009.**

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Anne H. Beebe-Center, Chair – Commissioner District #1

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Richard L. Parent, Jr. – Commissioner District #2

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Roger A. Moody – Commissioner District #3